

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
PUBLIC NOTICE OF COMPLETENESS AND AVAILABILITY OF A  
STREAMLINED MERCURY VARIANCE (SMV) APPLICATION.**

**PUBLIC NOTICE NO. 2010- 3- SMV  
NOTICE DATE: MARCH 5, 2010  
RESPONSE DATE DUE: APRIL 5, 2010**

**Applicant:** NIPSCO Michigan City Generating Station, Wabash Street at Lake Michigan, Michigan City, Indiana. NPDES Permit No. IN0000116

**I. Type of Application: Streamlined Mercury Variance:** NIPSCO Michigan City Generating Station submitted a streamlined mercury variance (SMV) application under the provisions of 327 IAC 5-3.5-4 on January 25, 2010. The SMV establishes a streamlined process for obtaining a variance from a water quality criterion used to establish a WQBEL for mercury in an NPDES permit. Based on a review of the SMV application, IDEM has determined the application to be complete per 327 IAC 5-3.5-4(e).

IDEM proposes to issue the SMV by incorporating the SMV as a condition of NIPSCO's NPDES permit. IDEM is providing public notice of the SMV application in accordance with 327 IAC 5-3.5-5 in order to solicit public comment.

**II. Facility Operations:** NIPSCO Michigan City is a coal fired steam electric generating facility that discharges cooling water and process wastewater to Lake Michigan and Trail Creek.

**III. IDEM Contact Person:** Mr. Steve Roush, Office of Water Quality /NPDES Permits Branch, 100 North Senate Avenue, Indianapolis, Indiana 46204 2251, at 317/233-5747.

**IV. Comments/Public Hearing:** Interested persons are invited to submit written comments, or request a Public Hearing, in regard to the SMV application. All comments or requests should be sent to the attention of Mr. Steve Roush at the above address and must be postmarked no later than 30 days after the public notice date to be considered in the decision to issue the SMV. Any request for a Public Hearing shall be made in writing and shall include: the name and address of the person making the request, the interest of the person making the request, persons represented by the person making the request, the reason for the request and the issues proposed for consideration at the hearing. The Department will determine whether to hold a public hearing based on the comments and the rationale for the request. If a Public Hearing is scheduled, a Public Notice will be published 30 days prior to the Public Hearing in at least one newspaper in the geographical area of the discharge and sent to those persons submitting comments. All written comments received during the Public Notice period or during the Public Hearing will be considered in the formulation of a final determination on the SMV application. IDEM may require the SMV applicant to modify the SMV application to be consistent with the requirements of 327 IAC 5-3.5-9.

**V. Additional Information:** The proposed issuance of the SMV will result in the incorporation of the SMV applicant's Pollutant Minimization Program Plan (PMPP) into the NPDES permit. The PMPP addresses the identification and minimization/elimination of mercury sources in the wastewater discharge regulated by the NPDES permit. The SMV applicant published notice of the availability of the draft PMPP in accordance with 327 IAC 5-3.5-9(c) prior to submitting the SMV application to IDEM. In addition to the PMPP, the proposed issuance of the SMV will result in the inclusion of an interim discharge limit for mercury developed under the provisions of 327 IAC 5-3.5-8. The SMV application, including the applicant's PMPP, is available for inspection at IDEM, Office of Water Quality/NPDES Permit Section, 12th floor/Rm 1203, 100 N. Senate Avenue, Indianapolis, Indiana from 9:00 a.m. to 4:00 p.m., M - F, excluding state holidays (copies 10¢ per page). A copy of the SMV application, including the PMPP, is on file at the LaPorte County Health Department.

**VI. Notice of Final Permit Determination:** IDEM will provide notice of the final determination on the SMV application to all persons who submit written comments, or who request a Public Hearing, on the SMV application. Persons wishing to receive notice of the final determination on the SMV application who do not submit written comments or request a Public Hearing must submit a written request for such notice to the IDEM contact person under III. above.